HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.10646 of 2006

Date: December 17, 2007

Between:
Kethiri Bal Reddy. … Petitioner

And

1. The State of Andhra Pradesh,
   rep. by its Secretary, Finance
   and Planning Dept., Secretariat
   Building, Secretariat, Hyderabad
   and 3 others. … Respondents.

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ORDER:

This writ petition is filed for a writ of *Mandamus* to declare the action of the respondents in not depositing enhanced compensation amount to the credit of E.P.No.53 of 2004 on the file of Senior Civil Judge, Karimnagar, in pursuance of judgment and decree dated 17.7.1998 passed in A.S.No.2159 of 1989.

2. At the hearing, it is represented that the respondents have already deposited a sum of Rs.1,61,69,064-00 in two instalments. A perusal of the counter-affidavit filed by the Chief-Secretary of the State of Andhra Pradesh shows that according to their calculation the above mentioned amount is due and payable, while according to the petitioner a sum of Rs.2,10,26,746-00 is payable. Since the quantum of amount liable to be deposited by the respondents is in dispute, this Court cannot resolve this issue in this writ petition.

3. Therefore, this writ petition is disposed of with liberty to the petitioner to pursue E.P.No.53 of 2004 pending before the learned Senior Civil Judge, Karimnagar. No costs.

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(C.V. NAGARJUNA REDDY, J)

Date: December 17, 2007.

BSB